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CASE NO. 80-795
IN THE
SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1980

MICHAEL HEFFRON, etc., et al.,

Petitioners,

vs.

INTERNATIONAL SOCIETY FOR KRISHNA CONSCIOUSNESS, INC., et al.,

Respondents.

Brief Amici Curiae of The Gujarat Cultural Association, Inc., The Hindu Society of Colorado, and The Hindu Cultural Society, Inc.

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TABLE OF CONTENTS

	Page
Table of Authorities	ii
Interest of Amici	1
Summary of Argument	7
Argument	9
Introduction	9
History of Gaudiya Vaishnavism and ISKCON	9
General Description of Sankirtan and Importance of Proselytizing Over Inter-Devotee Sankirtan	15
Recriprocal Contributions Component of Sankirtan	18
Importance of Literature Distribution Over Oral Proselytizing	20
Requirement for Devotee-Initiated Proselytizing Sankirtan, Which Cannot Survive in a Booth	27
Conclusion	30
APPENDIX	A1

TABLE OF AUTHORITIES

Texts — Page

A. Bhaktivedanta Prabhupada, *Bhagavad-gita As It Is* (1972)...15, 19, 25

A. Bhaktivedanta Prabhupada, *Caitanya Caritamrita* (1973).....15, 17, 18 19, 22, 24, 25, 26, 27, 28, 29

A. Bhaktivedanta Prabhupada, *Nectar of Instruction* (1975).....19, 20

A. Bhaktivedanta Prabhupada, *Srimad Bhagavatam* (1976).....15, 16, 17 21, 22, 23, 24, 26

Periodicals

Eck, *Krishna Consciousness in Historical Perspective*, Back to Godhead..... 9-14

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INTEREST OF AMICI

Amici organizations[1/] exist to promote

1/ See Appendix A for description of amici.

Indian and Hindu culture and religion, and have a symbiotic relationship with respondent ISKCON because they share a fundamental faith. Amici are interested in the case at bar because they believe this Court's sanctioning of the booth rule would spawn similar restrictions in public fora nationwide, severely harming ISKCON and amici's symbiotic and separate religious, cultural and associational interests.

Amici have several vital religious interests in the resolution of the case at bar. Many of amici's members, like all members of ISKCON, are Vaishnavas, devotees of the Supreme Lord fully described and known as Sri Krishna (or Sri Vishnu) in the ancient Sanskrit Vedic literature. Although some of amici's members belong to different schools of Vaishnavism than the Gaudiya school to which ISKCON devotees belong, they share a

deep, fundamental faith.

The essential exercise of this fundamental faith is sankirtan, interpersonal glorification of the Supreme Lord through dissemination of information on Vaishnavism (or Krishna Consciousness), along with reciprocal devotional services and contributions. Sankirtan may be performed among Krishna devotees as in the symbiotic relationship between ISKCON and amici members, to be described below. However, the Vaishnava Vedic scriptures mandate that proselytizing sankirtan be emphasized over inter-devotee sankirtan, especially for devotees initiated by,and serving under,Vaishnava spiritual masters who are charged with administering these scriptures' teachings to all souls.

In the present day American Vaishnava movement, the full-time ISKCON preachers perform most of the emphasised proselytizing

sankirtan, yet amici Vaishnavas also, at times, join with ISKCON members in peripatetic public-place sankirtan, especially during major Vaishnava holiday celebrations which are typically held in public parks and streets (e.g., the now world-famous Jaganatha Cart Festivals). Thus, the above described predictable nationwide ramifications of sanctioning the subject booth rule will severely and directly harm both ISKCON's and amici's essential religious public-place sankirtan practices.

Further, apart from the severe physical constraints imposed by such booth-type restrictions, amici are concerned with the unavoidable chilling effect such constraints would inflict upon the vital, outreaching sankirtan spirit itself, without which even the attempts to continue such fundamental religious educational work would cease.

Additionally, the inter-devotee sankirtan found in the ISKCON-amici symbiotic relationship, will also be severely harmed, though indirectly, by the severe booth-type restrictions. This relationship consists primarily of ISKCON providing its various Vaishnava literatures, temple services and programs, holiday celebrations, schools, retreats, and in-home religious programs for amici members' use, and their reciprocal offering of their occupational services and monetary contributions to support such programs. These inter-devotee sankirtan programs provide the cultural and associational milieu in which amici's and ISKCON's Vaishnava religious philosophy and practices can flourish.

Although the reciprocation by amici members more than offsets ISKCON's costs for the religious services and material it pro-

vides, such contributions, together with all others except those received in public-place sankirtan, constitute only a small fraction of the funds required to maintain the programs offering such services and materials. Thus, if public-place sankirtan is severely restricted by the described ramifications of sanctioning the subject booth rule, inter-devotee sankirtan (among ISKCON and amici members, and a greater number of others who today participate in American Vaishnavism) will be seriously stunted.

Thus, ami i have a strong interest in the case at bar since their essential Vaishnava religious exercises -- inter-devotee and proselytizing sankirtan -- will be greatly affected.

SUMMARY OF ARGUMENT

ISKCON and amici practice the Vaishnava religion, or Krishna Consciousness. Vaishnavism, especially in the Gaudiya Vaishnava school to which all ISKCON and some Amici members belong, mandates as the primary required religious exercise -- sankirtan. Sankirtan is interpersonal glorification of the Supreme Lord, who is fully described and known as Sri Krishna (or Sri Vishnu) in the ancient Sanskrit Vaishnava Vedic scriptures. Sankirtan may be performed between devotees or by proselytism, the latter being strongly emphasized over the former in these Vaishnava scriptures, and especially in the writings of the Gaudiya lineage of spiritual masters to which ISKCON belongs.

Further, these scriptures mandate that in this proselytizing sankirtan, literature distribution and accompanying requests for

reciprocal contributions be emphasized over oral proselytization. The scriptures also require the devotee to perform sankirtan out of sincere compassion and to take the initiative in literature distribution or oral expression, rather than waiting passively to be approached for knowledge of Krishna Consciousness.

Since Rule 6.05 prohibits such missionary, devotee-initiated literature distribution, and allows only receiver-prompted distribution at a booth, it prevents amici and ISKCON members from fulfilling the most essential mandate of their Vaishnava religion.

Thus the state has a great burden to demonstrate the necessity for inflicting this great harm on ISKCON's religion; and the Court should carefully weigh the more widespread great harm on American Vaishnavism that sanctioning this booth rule should generate.

ARGUMENT

Introduction

The above-summarized points of argument, with supporting evidence, have been made in rudimentary form in this case by ISKCON. However, amici desire to substantially clarify, expand and strengthen them by providing (1) a brief history by a non-ISKCON scholar of Gaudiya Vaishnavism and ISKCON; and (2) supportive quotations from the Vedic Vaishnava scriptures with derivitively strengthened arguments, which will substantially increase such arguments' understanding.

History of Gaudiya Vaishnavism and ISKCON.

Diana L. Eck, Assistant Professor of Hindu Religion at Harvard University, recently wrote:

> The Krishna Consciousness movement [the International

Society for Krishna Consciousness or "Hare Krishna" society] is part of an important and distinctive tradition of devotional faith, the Gaudiya Vaishnava tradition [or *sampradaya* -- disciplic school], which began in the sixteenth century [in India] with the great saint Sri Caitanya, but which participates in a much older movement of devotion . . . called *bhakti* . . . or the love of God.

The *bhakti* tradition found a full expression in the ancient *Bhagavad Gita*, "The Song of the Lord" [Krishna].

. . .

Like the New Testament, the *Bhagavad Gita* is a gently revolutionary treatise. It picks up and redefines many of the major terms of the ancient Vedic ritual tradition, making religious life accessible and meaningful not only to the elite few -- the *brahmana* priests, the *gurus*, *yogis*, and monks -- but also to the common people. . . .

. . .

The tradition of devotional piety that began in India with the *Gita* is long, varied and rich. The life of the incarnate Lord Krishna is told in some of the

great [Vedic] scriptures, particularly the Bhagavata Purana [or Srimad Bhagavatam].

One of the most vigorous and vibrant periods of devotional piety on the Indian subcontinent began about five hundred years ago, when a new wave of this ancient bhakti tradition broke across north India as virtually a Protestant Reformation of the Hindu tradition.

There were many poets, saints, and theologians who contributed to this era of exuberant devotion. Among them was the Bengali spiritual leader Sri Caitanya, who may be called the founder of the Hare Krishna movement. [H]e gave himself fully to . . . popularizing and developing . . . the chanting and singing of the holy names of the Lord. . . .

Sri Caitanya traveled throughout India and attracted many followers . . . and according to his biographers he left the entire South chanting the name of Krishna. . . . [and] in the North . . . converted great nondualist philosophers as well as some of the world-renouncing sannyasis of Banaras to the love of Krishna.

Caitanya's devotion to Krsna was both intense and magnetic. Accord-

ing to his immediate followers, Caitanya revealed himself as Krishna's beloved Radha manifest together in one body.

Sri Caitanya himself left only eight written verses. After he passed away, however, he was followed by a group of six inspired disciples and scholars called Gosvamis who settled in Krishna's ancient homeland of Vrndavana and contributed a tremendously rich body of literature to the emerging Gaudiya Vaishnava tradition . . . [including] the biography of Sri Caitanya, the Caitanya Caritamrta. . . .

From this first generation of disciples . . . the great teachers of this devotional tradition emerged, one after another, passing their insight from one generation to the next. They have followed in succession to the present day. . . .

In 1933 one of the leaders of the Gaudiya Vaisnava movement, Bhaktisiddhanta Saraswati Gosvami, initiated a new disciple: A. C. Bhaktivedanta Swami, whose special task was to bring the message of krsna-bhakti to the English-speaking world. In 1944, A. C. Bhaktivedanta Swami began to publish in Calcutta an English semi-monthly magazine called Back to Godhead, which is published in

the United States today under the same name. During the fifties he retired to Vrndavana, where he lived a very simple life in the temple of Radha-Damodara and began to translate into English the voluminous Bhagavata Purana [Srimad Bhagavatam]. In 1965 A.C. Bhaktivedanta Swami came to the United States, arriving by freighter, with little money and no contacts. In time, with difficulty, he established the first Krishna temple in the United States, a Second Avenue storefront on the Lower East Side in New York. Before long, one could hear the name of Krishna in Tompkins Square Park or on Fifth Avenue. Within a decade the International Society for Krishna Consciousness -- the American strand of the Gaudiya Vaishnava tradition -- spread to most major American cities. It became known by the very words with which the saint Caitanya praised the Lord some five hundred years ago: "Hare Krishna!" "Praise Krishna!"

. . .

In the summer of 1978 while I was doing my own research in north India, I was approached by a number of Hindus who assumed, because I wore a sari and spoke Hindi, that I was a Hare Krishna devotee. Without exception they praised the work of the International Society for Krishna

> Consciousness in India, both in Vrndavana [the birthplace of Lord Krishna] and in the birthplace of Caitanya at Mayapur in Bengal. I remember especially one old woman who came up to me in a temple in Banaras, and touched my feet in a gesture of respect, and said to me in Hindi, "The temple you have built to Lord Krishna in Vrndavana is splendid, so splendid, and I want to thank you."
>
> Surely the greatest affirmation of the authenticity and significance of the Hare Krishna movement has come from Hindus themselves. In goston the ISKCON temple has gecome a gathering place for many of the Indians who live here as professional people or as students. There on Commonwealth Avenue, together with American devotees, they worship Krishna and celebrate the great festivals of the Hindu year. And in Vrndavana, Hindus crowd into the new Krishna-Balarama temple and sing "Hare Krishna" with those young Americans who have become new participants in their ancient tradition.

Dr. Diana L. Eck, "Krishna Consciousness in Historical Perspective," Back to Godhead, Vol. 14, No. 20 (1979), pp. 26-29. See also, first affidavit of Joseph Beca, paras. 3, 11, 13, 14, 21, 22, 24.

General Description of Sankirtan and Importance of Proselytizing over Inter-Devotee Sankirtan

In this article by Dr. Eck, Sri Chaitanya, "the founder of the Hare Krishna movement," or Gaudiya Vaishnava movement, is described as performing oral dissemination of Krishna Consciousness by chanting and oral proselytizing. Also described is the essential role of the Bhagavad Gita and Bhagavata Purana (Srimad Bhagavatam), as well as the rich body of writings pursuant thereto, most importantly the Caitanya Caritamrta composed by the spiritual masters succeeding Sri Chaitanya up to Bhaktivedanta Swami Prabhupada (ISKCON's founder) and disseminated by their followers.

Such oral and written dissemination are the two essential preaching components of sankirtan. (See Caitanya Caritamrta, Madhya, Chap. 7, v. 128; first

Afft. of J. Beca, paras. 4, 11-14, 22-24, 26, 32-41.) Sankirtan is the primary, mandated practice of Gaudiya Vaishnavism and is meant for personal communication about, and glorification of Sri Krishna (God) to enlighten all persons to pure Krishna Consciousness. See Srimad Bhagavatam, canto 11, chap. 5, v. 32; afft. of J. Beca, paras. 4, 22.

Of the two forms of sankritan -- inter-devotee and missionary proselytizing (devotee to non-devotee) -- the latter is strongly emphasized over the former by the Vaishnava scriptures and lineage of spiritual masters:

> My dear Lord Nrsimhadeva [an avatar of Sri Krishna], I see that there are many saintly persons indeed, but they are interested only in their own deliverance. Not caring for the big cities and towns, they go to the Himalayas or the forest to meditate with vows of silence [mauna-vrata]. They are not interested in delivering others. As for me, however, I do not wish to be liberated alone, leaving aside all these poor foools and rascals. I know that without Krishna consciousness,

> without taking shelter of Your lotus feet, one cannot be happy. Therefore I wish to bring them back to shelter at Your lotus feet.

Srimad Bhagavatam, canto 7, chap. 9, v. 44 spoken by Prabhlada Maharaja, one of the foremost Vaishnava spiritual masters and kings).

> Vasudeva Datta told Chaitnaya Mahaprabhu, "My dear Lord, You incarnate just to deliver all conditioned souls. I have now one petition, which I wish You would accept....My Lord, my heart breaks to see the sufferings of all conditioned souls; therefore I request You to transfer the karma [sinful reactions] of their sinful lives upon my head. My dear Lord, let me suffer perpetually in a hellish condition, accepting all the sinful reactions of all living entities. Please finish their diseased material life."

Caitanya Caritamrta, Madhya, chap. 15, vv. 160, 162-163. Elsewhere, among scores of similar orders, Swami Prabhupada instructs ISKCON members:

> Preaching Caitanya Mahaprabhu's cult throughout the world is more important than staying in Vrindavan or Jagannatha Puri [two of the largest and most important holy places of

> Vaishnava association in India] for one's own personal satisfaction. Spreading Krishna consciousness is Sri Chaitanya Mahaprabhu's mission; therefore His sincere devotees must carry out His desire.

Trans. Bhaktivedanta, Chaitanya Caritamrita, Madhya, Chap. 16, vv. 64, purport. Thus for ISKCON Gaudiya Vaishnavas, missionary proselytizing sankirtan must take precedence over inter-devotee sankirtan. See also first affadavit of J. Beca, paras. 4, 22, 24, 32, 36, 37, 41.

Reciprocal Contributions Component of Sankirtan

Besides the oral and literary preaching components, sankirtan involves the likewise spiritually essential reciprocation by recipients of such preaching, generally expressed as contributions to support such preaching. This consummative reciprocation by contributions in the

sankirtan process not only provides the very means to continue its essential preaching activities (see first afft. of Beca, paras. 4, 42), but itself is a form of engaging or linking one's resources in spiritualizing, divine devotional offerings or bhakti yoga, the goal of such preaching:

> It is the duty of every living being being to perform welfare activities for the benefit of others with his life, wealth, intelligence and words.

Chaitanya Caritamrita, Adi, Chap. 9, v. 42 (emphasis added).

> O son of Kunti, all that you do, all that you eat, all that you offer and give away, as well as all austerities that you may perform, should be done as an offering unto Me.

Bhagavad Gita, Chap. 9, vv. 27,28 (emphasis added).

> Offering gifts in charity, accepting charitable gifts, revealing one's mind in confidence, inquiring confidentially, accepting prasada [sanctified vegetarian foodstuffs] are the six symptoms of love shared by one

devotee and another.[2/]

Sri Upadeshamrita, v. 4 (emphasis added).

Thus donation of wealth in the Lord's service, constitutes an essential component of sankirtan, which consumates the two essential oral and literary preaching components; all three components being interpersonal devotional service to the Lord.

Importance of Literature Distribution Over Oral Proselytizing

Of such mandatory oral and literary preaching, the literary is by far the most important. The respondent's Vedic Vaishnava scriptures teach that in the present age -- Kali Yuga -- peoples' memory, and receptivity

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2/ In his translation (see trans. Bhaktivedanta, Nectar of Instruction) of this verse Swami Bhaktivedanta explains that this reciprocation includes exchanges between established devotees and those just becoming involved (such as in proselytizing sankirtan).

to spiritual life, are slight;[3] and the deterioration of all material necessities of life would generally make people impatient and lacking the goodness which fosters spiritual practices.[4] Therefore the ancient Vedas (literally, "divinely revealed knowledge"), cannot be effectively preserved and transmitted orally, because they will, by that process alone, be poorly absorbed and forgotten. Thus, these Vedas or spiritual teachings were compiled in literary form explicitly for popularizing them for assimilation by the ignorant and forgetful masses:

> The great sage, who was fully equipped in knowledge, could see, through his transcendental vision, the deterioration of everything

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3/ Srimad Bhagavatam, canto 1, chap. 1, v. 10. See also first afft. of J. Beca, par.12.

4/ Id., chap. 4, vv. 16-18; chaps. 16-18, passim; canto 12, chap. 2, vv. 1-9. See also first afft. of J. Beca, para. 12.

material, due to the influence of the age. He could also see that the faithless people in general would be reduced in duration of life and would be impatient due to lack of goodness. Thus he contemplated for the welfare of men in all statuses and orders of life.

He saw that the sacrifices mentioned in the Vedas were means by which the people's occupations could be purified. And to simplify the process he divided the one Veda into four, in order to expand them among men.

The four divisions of the original sources of knowledge [the Vedas] were made separately. But the historical facts and authentic stories mentioned in the Puranas are called the fifth Veda....

Srimad Bhagavatam, Canto 1, Chap. 4, vv. 17-20.

See also first afft. of J. Beca, para. 12, 13.

"The Vedic literatures composed by the omniscient Mahamuni Vyasadeva are evidence of all spiritual existence. Only through these revealed scriptures can all conditioned souls attain knowledge."

Chaitanya Caritamrita, Madhya, Chap. 20, v. 353.

See also first afft. of J. Beca, paras. 11-13, 20d.

The compiler-author of these Vedas, Vyasadeva, was foretold in them to be an incarnation of Krishna Himself:

> This Srimad Bhagavatam is the literary incarnation of God, and it is compiled by Srila Vyasadeva, the incarnation of God. It is meant for the ultimate good of all people, and it is all-successful, all-blissful and all-perfect.

Srimad Bhagavatam, Canto 1, Chap. 3, v. 40. See also Id., Chap. 5, v. 21; first afft. of J. Beca, para. 12. Of these written Vedas, the "mature fruit" or "cream" is the epic Srimad Bhagavatam:

> Sri Vyasadeva delivered it [the Srimad Bhagavatam] to his son, who is the most respected among the self-realized, after extracting the cream of all Vedic literatures and histories of the universe.

Srimad Bhagavatam, Canto 1, Chap. 3, v. 41. See also Id., Chap. 1, vv. 2,3. This Bhagavatam is meant to enlighten all persons in this dark age. See Id., Chap. 3, vv. 40, 43.

Writing commentaries on this Srimad Bhagavatam and other Vedic literature, and copying and distributing them has occupied Vaishnava devotees in respondent's lineage for millennia, from Vyasadeva's compilation to the great oral and literary sankirtan expansion inaugurated by Sri Caitanya, whose followers wrote over half a million verses:

> Both Rupa Gosvami and Sanatana Gosvami [two chief disciples of Sri Caitanya] brought various scriptures to Vrindavana and collected the essence of these by compiling many scriptures on devotional service. In this way they delivered all rascals and fallen souls....
>
> Thus Srila Rupa Gosvami, Sanatana Gosvami and their nephew Srila Jiva Gosvami, as well as practically all of their family members, lived in Vrindavana and published important books on devotional service.

Caitanya Caritamrita, Madhya, Chap. 1, vv. 33, 45. See also Id., Antya, Chap. 4, vv. 217-231 (wherein the number of verses (over half a million) and the names and descriptions of these

scriptures are given); trans. Bhaktivedanta, Id., Madhya, Chap. 9, v. 245, purport; Id., Antya, Chap. 7, vv. 132-136, and Bhaktivedanta purport in his trans. to v. 134; first afft. of J. Beca, para. 33.

Further, all these Vedic Vaishnava scriptures proclaim that only through the realization of a pure devotee-spiritual master can the proper import and application of their injunctions be understood and successfully practiced, in any given time and circumstance:

> Just try to learn the truth by approaching a spiritual master. Inquire from him submissively and render service unto him. The self-realized soul can impart knowledge unto you because he has seen the truth.

Bhagavad Gita, Chap. 4, v. 34.

> In order to learn the transcendental science, one must approach the bona fide spiritual master in disciplic succession, who is fixed in the Absolute Truth.

Mundaka Upanishad, pt. 1, Chap. 2, v. 12. Thus, the instructions of ISKCON's spiritual master,

Bhaktivedanta Swami, must be taken as authoritative in revealing the importance of literature distribution over oral proselytizing (and all other devotional services). Among literally hundreds of written instructions on point, he writes:

> In our Krishna Consciousness Movement, all our activities are concentrated upon distributing Krishna literature. This is very important. One may approach any person and induce him to read Krishna literature so in the future he may also be a devotee.

Trans. Bhaktivedanta, Srimad Bhagavatam, Canto 10, Chap. 2, v. 3, purport.

> ...to write books and publish them for the enlightenment of the general populace is real service to the Lord. That was Srila Bhaktisiddhanta's [Bhaktivedanta's spiritual master's] opinion.... Temple construction is meant for the general populace and neophyte devotees, but the business of advanced empowere devotees is to write books, publish them and distribute them widely... Consequently, we always request members of the International Society for Krishna Consciousness to publish as many books as possible and distribute them widely throughout the world.

Trans. Bhaktivedanta, Caitanya Caritamrta, Madhya, Chap. 19, v. 132, purport.

Thus the supreme importance of literature distribution over oral proselytizing in sank sankirtan, the mandated, most essential religious practice for ISKCON Vaishnavas, is clear.

Requirement for Devotee-Initiated Proselytizing Sankirtan, Which Cannot Survive in a Booth

Sankirtan must be performed as Sri Caitanya consistently performed and taught it -- approaching freely every type of person, whether already spiritually inclined or not. Indeed, distributing Krishna Consciousness to those not yet spiritually inclined or enlightened is the sine qua non of Caitanya, Krishna's most munificent incarnation as the Kali Yuga Avatar, 5/

5/ The Kali Yuga Avatar is the Ava- (cont.)

and is the required manner of sankirtan for all his followers:

> O most munificent incarnation! You are Krishna Himself appearing as Caitanya Gosani. No other Lord is as merciful in delivering the fallen souls.

Id., Adi, Chap. 2, v. 22.

> Thus He, [Sri Caitanya] spread kirtan [sankirtan] even among the untouchables....

Id., Adi, Chap. 4, v. 40.

> All the wealth in the world cannot equal the value of one such nectarean fruit of devotional service.
>
> Not considering who asked for it and who did not, nor who was fit and who unfit to receive it, Caitanya Mahaprabhu distributed the fruit of devotional service.
>
> The transcendental gardener, Sri Caitanya Mahaprabhu, distributed hand-

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5/ (cont.) tar, or divine incarnation, of the Supreme Lord Kirshna, Who teaches the primary required form of religion for all the people in the present spiritually dark universal age, called Kali Yuga: "Thus He initiated the dharma [religion] for the age of Kali...." Caitanya Caritamrta, Adi, Chap. 4, v. 226.

ful after handful in all direction, and when the poor hungry people ate the fruit, the gardener smiled with great pleasure....

"I am the only gardener. How many places can I go? How many fruits can I pick and distribute?

"It would certainly be a very laborious task to pick the fruits and distribute alone....

"Therefore I order every man in this universe to accept this Krishna Consciousness movement and distribute it everywhere."

Id., Adi, Chap. 9, vv. 28-30, 34-36.

Lord Caitanya Mahaprabhu has freely given this love of Krishna everywhere and anywhere, even to the most fallen.... What then to speak of those who are already pious and elevated?

Id., Adi, Chap. 8, v. 20.

Sri Caitanya Mahaprabhu replied...

"Instruct everyone to follow the orders of Lord Sri Krishna as they are given in Bhagavad Gita and Srimad Bhagavatam. In this way become a spiritual master and try to liberate everyone in this land."

Id., Madhya, Chap. 7, vv. 127, 128. See also first afft. of J. Beca, paras. 22, 32, 34, 37.

Conclusion

In conclusion, respondent and amici followers of Lord Sri Caitanya (Gaudiya Vaishnavas) when practicing their mandatory sankirtan must (1) concentrate on literature distribtuion rather than oral expression; and, (2) must actively seek out and approach all persons -- not only the very small percentage who are already aware of and interested in Krishna consciousness (and who thus may be motivated to approach respondents in a booth), but the vast majority of other persons who are not (and who thus would not, apart from a few curiosity seekers, approach respondents in a booth).

Quite obviously, in most all major religious traditions, as well as those of many political and public-benefit causes, literature distribution has played and still plays a prominent role, though seldom the strikingly preeminent one it plays for respondents. The written word

is more precise and enduring, thus more important, than the spoken word. Similarly, the dynamic missionary, out-reaching spirit, epitomized and unconditionally required in respondents' sankirtan proselytization, has played, and/or still plays an essential role in the history and present life of such other ideological movements. Indeed, the very definition of proselytizing -- "making of converts" -- reveals the necessity for initiative by the believers to approach and convince the non-believers, and precludes a notion of mere expressions of the faith between fellow believers; or one of passivity, absent the approach of the curious non-believers.

Thus, this power of initiative is the sine qua non, the heart and soul of any serious proselytizing, and the written word its primary medium -- especially for ISKCON. By imprisonment to a booth, rule 6.05 cuts out and shuts up

this heart and soul of the discussed essential literary proselytizing, leaving respondents' mandatory and primary religious duty -- sankirtan -- and all other sincere proselytism -- devoid of life.

This rule, properly struck down by the Minnesota Supreme Court, must be left at rest.

APPENDIX A -- Description of Amici Organizations

1) GUJARAT CULTURAL ASSOCIATION, INC.

The Association was organized in 1972 and currently consists of 850 members who serve a community of 15,000 Gujaratis. Its purpose is to promote Hindu culture and religion, as well as the Gujarat language, for the benefit of all Americans. For more information consult its president, Mr. Bhailal Patel, at 8846 North Laveign Avenue, Skokie, Illinois 60077.

2) HINDU SOCIETY OF COLORADO

Founded in 1978 and consisting of approximately 100 full-time members, the Society promotes Hindu culture and religion. For more information consult its president, Dr. A. Ganga Dharma, at 7464 East Merced Place, Denver, Colorado 80237.

3) HINDU CULTURAL SOCIETY, INC.

Incorporated in 1975 both to promote brotherhood among Americans and Indians, and to preserve Indian culture, the Society currently has 250 full-time members. For more information consult its president, Mr. Suresh Desai, at 66 Berkeley Avenue, Clifton, New Jersey 07111.